

AMENDMENTS

In the Claims:

Please cancel claim 1 and amend claims 2-6 and 9-11, and add new claim 18 as follows:

2. *(Amended)* The method of claim 18, wherein the oscillatory motion of the oscillatory driver is harmonic motion.
3. *(Amended)* The method of claim 18, wherein the oscillatory motion of the oscillatory driver is disharmonic motion.
4. *(Amended)* The method of claim 18, wherein an amplitude of the oscillatory motion of the oscillatory driver ranges from about 0.0002 mm to about 10,000 mm.
5. *(Amended)* The method of claim 2, wherein an amplitude of the oscillatory motion of the oscillatory driver ranges from about 0.015 mm to about 350 mm.
6. *(Amended)* The method of claim 18, wherein a frequency of the oscillatory motion of the oscillatory driver ranges from about 0.01 Hz to about 20 GHz.

9. *(Amended)* The method of claim 18, wherein the oscillatory motion of the oscillatory driver is induced by inducing oscillatory motion of the container.

10. *(Amended)* The method of claim 18, wherein the oscillatory motion of the oscillatory driver is induced by inducing oscillatory motion of the portion of the biopharmaceutical solution that is frozen.

A3 11. (Amended) The method of claim 18, wherein the oscillatory motion of the oscillatory driver is induced by inducing oscillatory motion of an unfrozen portion of the biopharmaceutical solution.

Sub 18. (New) A method for thawing a frozen biopharmaceutical solution, the method comprising:

A3 heating the biopharmaceutical solution, when at least a portion of the biopharmaceutical solution is frozen, using a heating element coupled to a container which contains the biopharmaceutical solution; and  
inducing oscillatory motion to the biopharmaceutical solution to thaw the at least a portion of the biopharmaceutical solution using an oscillatory driver adapted to be coupled to the biopharmaceutical solution.

**REMARKS**

**Restriction**

In response to the restriction requirement set forth in the Official Action dated July 3, 2001, Applicant's have also canceled claim 1 and amended claims 2-6 and 9-11 to be dependent upon newly added claim 18. Applicant provisionally elects, the method claims, i.e. claims 2-11 and 18, for examination with traverse. Applicant respectfully requests that new claim 18 be entered and the restriction requirement be withdrawn in view of the remarks below.

In the Official Action, restriction has been required between claims 1-11, drawn to a method for thawing frozen biopharmaceutical solutions, and claims 12-17 drawn to a device for accelerated thawing of a biopharmaceutical solution. In the Official Action it is stated that the inventions are related as a process and apparatus for its practice. Also, it is stated that the apparatus as claimed can be used to practice a materially different process. As stated in the